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WELL-WISHERS
TO THE
UNIVERSITY of OXFORD
AND THE
ANSWERS.

10.

[Price One Shilling.]

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WELL-WISHERS

TO THE

UNIVERSITY OF OXFORD



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The most interesting to the
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A N D
O X F O R D in P A R T I C U L A R.

C O N T A I N I N G
W E L L - W I S H E R S
T O T H E
U N I V E R S I T Y of O X F O R D
A N D T H E
A N S W E R S.

Collected together and submitted to the Judgment of the
P U B L I C K.

L O N D O N:

Printed for W. OWEN at *Homer's Head* near *Temple-Bar* ;
and sold by S. PARKER, in *Oxford*.

MDCCL.

A
SERIES OF PAPERS
ON
SUBJECTS

The most interesting to the
NATION in GENERAL
AND
OXFORD in PARTICULAR.

WELLS
UNIVERSITY OF OXFORD
AND THE
A. N. S. W. E. R. S.



Collected together and subjected to the judgment of the
PUBLICK.

LONDON:
Printed for W. Owen at Haden's Head near Temple-Bar;
and sold by S. Parker, in Ogle.

MDCCLXXII.

ADVERTISEMENT TO THE READER.

AS the following papers were, originally, usher'd into the world in a very loose, and perishable manner, each of them having been published separately, at different times, in different vehicles; which vehicles, (I mean the common news-papers) have no prospect to futurity, and are, even now, difficult to be met with; some eminent persons in the University of OXFORD, who think themselves somewhat interested in the dispute, have thought it adviseable to collect them together, and publish them, for the general satisfaction, in the present form,

Now, seeing the subjects are equally curious and important, this collection cannot but be highly

ly acceptable to the publick: for by this means the arguments will be preserved, and continued, intire, and unbroken, from whence the reader may form a settled judgment of the whole.

And, indeed, in all writings of controversy, the publick, i. e. the readers, are the only, true, proper judges, from whose determination there can be no further appeal. Therefore, this important dispute, being now seemingly terminated, is necessarily left to their impartial decision.

But, whatever the result of this dispute may prove, the motives for entering into it were undoubtedly good: the whole design being, professedly, to promote the welfare of the University of OXFORD; to which, it is reasonable to presume, the AUTHORS, on either side the question, are equally WELL-WISHERS.

A
SERIES of PAPERS

ON
SUBJECTS the most INTERESTING
TO THE
NATION in GENERAL, &c.

From the GENERAL EVENING POST, Jan. 11, 1750.

WELL - WISHERS
TO THE
UNIVERSITY of OXFORD.

NUMBER I.

TOWARDS the end of the last session of parliament, it was said the *legislature* would be so good as to consider the state of this University, * in order to the reformation of it. That there is need of a reformation of it, in many particulars, cannot be denied; is no longer *dissembled*: and, supposing the *parliamentary* inquiry would have been in a friendly sort, there was not a friend to this body,

* As for her sister University, if any thing shall be said in this and the following papers which may be equally applicable to her, we refer that to the consideration of those whom it may concern.

who,

who, if he understood its distress, did not *wish* it : for, how much soever it may want *amendment*, it would be found, upon trial, a thing absolutely impossible for it to amend itself. But, whether there were jealousies in *some* pretending to have, and, we believe, *really* having, good-will to the University, that the inquiry would not be of the desired kind, and consequently a resolution to oppose it ; or, whether others, tho' they considered the University as instituted for the publick good, and, when reformed, very likely to produce it, and designed no other reformation than what should have a manifest tendency to this end, yet would not hazard the issue of a dispute, which, preceded as it was, by infinite misreports, might derive imputations of unfriendliness upon them who knew themselves friendly ; but rather wait till things should be better understood, and till the necessity of the case (a time not very far distant) should incline those to assist, who were prepared to oppose, we cannot tell ; the *talk* was soon discontinued, and the *design*, for the present, dropp'd.

But, notwithstanding this, if it be not resumed, and the wanted reformation be not wrought, and a regular discipline that may be executed without difficulty be not established, we are well assured, and shall therefore have no scruple to say, the University will not be a proper place for the education of youth ; if, by education, be meant, that they shall make due improvements in the proper learning for their intended professions, and be bred up with due regard to the interests of religion and virtue.

Nothing will so easily secure the *exercise* of a regular discipline as the knowing for certain *where* to lay the blame, if it be *not* exercised. Shame is so dreadful a thing to an ingenuous mind, that it may then be fairly presumed, all possible care would be taken to avoid it ; but neither the University, nor any collegiate body within it, hath a *face* to be ashamed, that any one can *discern*. If the blame of relaxation of discipline be laid upon *heads* of houses, as it often is by those who

who know nothing of the constitution of their respective colleges, it is certain they will not *generally* deserve it. They are cramp't in their authority; can exert no more power than they have; must often have great reluctance to exert even that; and, the better-natured the men, the greater probably will be their reluctance. If the blame be laid upon *fellows* of houses, it is certain they will not *universally* deserve it. For a majority will do what a minority may disapprove, but cannot help: nay, when a majority is, interpretatively, the *whole*, the minority shall be involved in the discredit of *doing* the ill they would have *prevented*.

The case of the University is really *pitiable*. Nothing hath happened to ruin the discipline of this place of education, which it could have prevented, and which, yet, whenever it should happen, must, in the very nature of the thing, ruin its discipline.

For instance: It hath happened that LUXURY hath, for some time, been making advances in this nation with long strides, not to say, precipitate marches. There hath seem'd to have been an emulation in persons of great affluence, and high stations, to excel in dress, and equipage, and entertainments; whether to shew abundant civility and complaisance to important strangers; or, with interested views of recommending themselves to further favour; or out of meer vanity, it is not material to inquire. The fact is so. Being so, it was *natural* for others who had an exquisite *relish* of these enjoyments, upon the least *countenance*, to give into them; and *fashion* was sufficient to draw in others to amuse themselves with what they had less appetite to enjoy. A *variation* in men's fortunes, in the year 1720, banished œconomy from this island. Men of *ordinary condition* surpris'd into immense wealth were fond of surprizing others with the pomp and glitter of their sudden acquisitions; whilst those whose ancient *patrimonies* were departed from them, instead of entering into measures to retrieve what was lost (*parsimony*

to the ruined seeming always too late) chose rather to disguise their being undone, by living in appearance, for a short time, as if there had been an increase, and not a diminution of their fortunes. The old families of great estates, forgetting the dignity of plenty with simplicity, suffered themselves to be carried away with the stream into all the elegancies and delicacies that could be imported from abroad, or invented at home. Their example was followed by the next rank of men below them so closely, as shewed they were not willing to be thought so much below them; till, every one liking, for various reasons, to be viewed in a condition somewhat better than his own, Luxury had over-run the country, had subdued it, and was established.

See the natural effect this must have upon the rising generation! The noble and gentle youth of the kingdom participate of the *excesses* in eating and drinking, in apparel and diversions in their *own families*. They hear the *loose conversation* of men well received there, without observing in their parents any great dislike of it. *Abstinencies* of every kind have been ingeniously derided in their presence. The wit hath pleased. The opinion hath had authority. And they have easily pursued what it was not unnatural for them to have been already inclined to. Their *sobriety* and *chastity* are not better secured at the *great schools* (whither it is the humour of the present age to send them, and with a great deal of money) than at home. Conversation is there greatly enlarged. What knowledge of the world, as it is called, they carry thither with them, they mutually impart. All the materials of luxury may be had every night by the *Eaton* scholars from the *Old Angel* in *Windsor*; by the *Westminster*, from the *Horn Tavern* in *King-street*; and by the *Winchester*, for 100*l.* a year each, (now, or lately) at the school-master's *own table*.

The appetites, then, of young men, thro' general luxury, are every where *indulged*, and by indulgence *inflamed*, before they are sent to the University.

But

But could the University, by any care of Theirs, have provided that general *luxury* should not have *happened*? *Having* happened, will not this body be affected by it?

But the University, it will be said, must have been soon apprized of its *entrance*, might have opposed its *progress*, and prevented its *continuance*, if colleges would but have observed their *founder's* rules, and may *dismiss* it whenever they please, if they will even *now* observe them.

All this is strictly true. But it may *as* truly be replied, that OTHER accidents have *happened*, which the University could not *prevent*; which, *having* happened, are the occasion that the founders rules *are* not observed, nor *can* be.

[*To be continued.*]

From the GENERAL EVENING POST, Jan. 13, 1750.

W E L L - W I S H E R S

TO THE

UNIVERSITY of O X F O R D.

N U M B E R II.

WHEN founders of colleges framed rules and statutes for the government of their several societies, collegiate bodies were very different from what they are at present. In those days proper learning was wanted for the service of the church and state. Colleges were erected and indowed for the advancement of this proper learning. The founder's indowments were intended for *such* scholars *only*, as should *need* this support in their education, and should be found upon exami-

nation to *deserve* it, and where the desert appeared to be equal, the greater *poverty* was preferred. It was presumed that youth of good parts, and of low fortunes, having this firm footing from whence to take their rise, would generally endeavour to emerge, and aspire after preferments in view that would dispel their obscurity; and would consequently take the pains that were necessary to great improvements in learning. Persons of family and fortune would not, in those days, have *applied* for a charity they did not *want*; no, nor have condescended to *accept* of it, if it should have been offered to them; nay, they would have thought they should do an injury to those for whom it was intended, if they should intercept it. These indowments for men in these circumstances, were designed for their *intire* maintenance; and, considering their *condition*, sufficient for it. Nor, was it *painful* to them to submit to the confinement their rules required; nor to the application to be used for the attainment of such knowledge, ecclesiastical and civil, as was expected from them; nor to the exercises to be performed in order to qualify them duly for publick employments, if they were ambitious of them. And, since none of them were allowed to *marry*, those, in whom this prospect had not raised any desire of going abroad into the world, being engaged in a course of studies agreeable to their own genius, and some way or other useful to the publick, chose to *live* and *die* in the enjoyment of their founder's *charity*. Colleges had then no more *advowsons* in their own patronage, than what came along with the estates which their founders left them: of course the *succession* in each of them was very slow, and of course a great majority of the fellows were *grave* and *serious* men, regarding the reputation and interest of their society, and revering the opinion which the university, instituted for publick good, would have of any *private* conduct of theirs tending to defeat it. And, in the choice of a governor, were of *themselves* as determined to elect a person
of

of resolution to maintain the discipline of the house, as *oaths* and *sacraments* preceding the election could make less considerate men ; a person of *such* prudence and temper, as that it might well become them to support him in the exercise of his authority, which would be their *duty* ; a person, who, greatly *learned* himself, and *superintending* learning in others, would require diligence and reward *proficiency* in the younger scholars, and secure from them towards *themselves*, their seniors, that modest and decent and respectful carriage which was due to their longer standing in the university, and superior stations in the college, wherein the peace and happiness of the society would consist, and on which industry, and the advancement of learning, and of piety and virtue, the *fruits* of learning would depend.

Now, see the difference in the *present state* of collegiate bodies, from what it *anciently* was, and was intended to have *continued* ; nay, from what, in a great measure, it was not *threescore* years ago.

The same oaths and sacraments precede the election of *fellows*, as of *heads* of houses. Fellowships are rarely given to scholars of *low condition*, whatever be their merit. Men of *family* and *fortune* are, now, not only ready to *accept* of them, but make great interest to *procure* them. And success is found to depend upon *that* favour, which the electors are sworn not to regard. *Possessed* of the indowments, they live not in the simple frugal manner, so necessary to health, and study, and virtue, which their founders *designed* they should. A *plain* diet, in a *moderate* proportion, at their *founder's* table, at *stated* hours, *twice* a day, so acceptable to the scholar going to bed in sobriety, and rising early, no longer pleases.

In some colleges the fellows, contenting themselves with a dinner of the value of the founder's two meals for the day, either in the hall, or the common room, or their private chambers, may make themselves amends in the evening, by eating any where else in a better manner. In others, the
fellows

fellows never stand to commons at all ; but, whenever they are present at the times of dinner or supper, either take what they *find*, (the cook providing always for an uncertain number) or bespeak what they *like*. In many of the *same* colleges, indeed, the undergraduates, and other independent members, are obliged to stand to commons, noon and night. But these commons are of so small a quantity, or in so bad a condition, that they require a good deal of mending, either by *battles* in the college (in the profits of which the *fellows* have acquired an interest) or by eating abroad ; in either way of relief at an expence extraordinary of, at least, 15 or 20 pounds a year ; and of neither would there be any occasion, if they might be permitted to stand to commons of the value of three-pence each meal, sent up to the several tables in single joints. In other colleges again, the independent members no more stand to commons than the fellows, even tho' most of the statuteable penalties, they are both liable to, consist in being put out of commons, but have it in their choice to eat of what is provided by the *college* victualler at the *appointed* hour, or by a *town* victualler at their *own* hour ; very often the *same* person, colleges suffering their *own* servants to keep publick eating houses in the University. A founder's indowment is no longer considered as a charitable provision for *intire* maintenance, or as laying any obligation upon those who accept of it to observe his rules, but as a branch of their revenue in general to be spent in the manner they like best. And then again, opportunities of *marriage* which the ancient societies had not, and *shorter* ways to preferment than by study, which they were not acquainted with, and the number of *livings* in their own gift greatly increased since those days, have so quickened the *succession* in the present collegiate bodies, that they now consist, in a manner, wholly of *young men*, with a power *still* of choosing their own governor, the *true cause* of the want of discipline in this place. We are undone by the very statutes that were intended

intended by founders to be the best provision for good government. And therefore in all equitable construction, so far as any of the founders statutes are, in our present circumstances, a *hurt* to the societies by them founded, which they must be presumed to have intended to *benefit*, they are *not* their statutes. And yet they are still so far their statutes, that the heads and fellows of colleges are not at liberty to depart from them without the authority of parliament.

The authority of parliament did once effectually interpose to alter, and even to annul, all *such* statutes of their founders, as seemed to that great council of the nation to be a hurt to *religion*. And, is it not as reasonable that the parliament should once more interpose their authority, to alter such *other* statutes of their founders, as shall seem to them to be a hurt to *discipline* in the place of education, and consequently to learning and virtue? and, especially, if it be considered, that, in the *former* case, the parliament, in the step they took for publick good, would have greatly *offended* the founders of the ancient colleges, if they had been living; so contrary was it to the statutes they had with mature advice approved: And that, in the *latter* case, if the same founders of the ancient colleges were now alive to see what alterations time, and accidents unforeseen, had made in the societies by them founded, and that the statutes directing the choice of a governor to be in themselves had ruined the discipline by them intended to have been *perpetually* established, the parliament which should provide a remedy for this evil would have their *thanks*.

What founders professedly intended was *publick good*. They obtained the consent of the crown to the establishment of the rules they had provided for the government of their respective colleges by this declaration. And, in confidence that as much would be *performed*, as was declared to be *intended*, these rules received their authenticity from the royal signature. By accidents, which founders could not foresee, nor
their

their societies prevent, the said rules are fallen into disuse! They cannot now be enforced. The ancient discipline is lost. And the publick are deprived of the good intended them; to which they have still a right, and loudly and justly complain that it is with-held from them, and which, yet, they cannot recover without a reformation of the University. The University then must be reformed. But it cannot reform itself. The assistance then of the legislature is *necessary* to its reformation. But the legislature will not be rightly applied to for their assistance, till it shall appear to them in what particulars a reformation is *needful*. This being so, we, the authors of this paper, hope; whilst others content themselves with *complaining* only, and decline all trouble in providing a *remedy*, it will not be unbecoming of us, wishing well, as we do, to this learned body, and knowing for certain what it is that hinders it from being the safest, and every way the fittest place of education in the whole world, to impart in this manner what knowledge we have of this kind to the publick, in order to invite those to remove the impediment, who alone have the *power* to do it; and, we trust, will not want the *inclination*, when they shall see, that the reformation which is needful may be easily accomplished without any hurt to the estates, or interests, or useful privileges of the University; or of any college within it.

Whether; what private men shall say upon this occasion will be regarded, is uncertain. If not at *present*, it may *hereafter*. If not *at all*, they will at least be excused for having taken a liberty, to which in affection and duty to the University, and to the publick, they thought themselves obliged. *Liberaverint animas suas*. But, if there should be no attempt to reform this body, originally instituted for the service of the publick, or a feeble one that should fail of the desired effect, they humbly hope, that, if their posterity, seeking improvements in University-learning, under private
instructors;

instructors, and offering themselves to the bishops for holy orders with unexceptionable qualifications for the ministerial office, and with testimonials of their good life and conversation that may be *depended* upon, they will not therefore be refused, because they have not taken degrees in a place where it was not safe for them to reside.

[To be continued occasionally, as the authors shall have leisure.]

From the GENERAL EVENING POST, February 3, 1750.

To the P R I N T E R, &c.

S I R,

Oxford, January 29.

I Was not a little surprized at the sight of two letters published in your paper, by some person or persons, who stile themselves *Well-Wishers to this University*. And this seems at this time especially still more strange, when we have so lately laboured under so heavy a load of reproach. Occasion was taken, from the misbehaviour of some of our youth, to raise a general outcry against us. Every thing that was done here was strangely mis-represented and aggravated; and a thousand false stories industriously propagated, and hastily credited. The paper before me acknowledges, that *infinite mis-reports* then prevailed, and that *those who they believe had goodwill to the University* were afraid that the enquiry would not be of the desired kind, or in a friendly sort. How then

can we look upon those as our *Well-Wishers*, who would revive these complaints, and set this ferment at work again ? People who had been loud in their clamours against us, began to cool ; and most men of sense began to see that they had been abused by *infinite mis-reports* and mis-representations. But these our friends were sorry to see the storm so soon blown over, and so laudable a work dropped, as a visitation and reformation of the University. But are they themselves sure such a reformation will be *of a friendly sort*, or conducted in a friendly manner ? Are they sure, that every one who may be concerned in such a reformation will think just as they do ; that they will concur in every regulation they judge necessary, and make no alterations they may think improper or hurtful ? We have but too much reason to believe, from what we have lately had occasion to observe, that there are too many, and some perhaps in high station, who bear no favourable aspect to this University. I wish I had no reason to add, that the enemies of our establishment, and of our religion, were but too numerous. We must be excused therefore, if we are under some jealousies and fears that a *reformation* might not be so *easily accomplished without any hurt to our estates, interests, or useful privileges*, as these writers would persuade us. Our best friends were unwilling to hazard the issue of a dispute : and yet, it seems, our *Well-Wishers* take pains to revive it. And, what is still more extraordinary, such suggestions are thrown out by these our *Well-Wishers*, as we could scarce have expected from our worst enemies. *The University*, till reformed, we are told, *will not be a proper place for the education of youth ; nor can they expect here to make due improvements in the proper learning for their intended professions, or to be bred up with due regard to the interests of religion and virtue.* Bishops are desired to look out elsewhere
for

for persons qualified for holy orders: and this place is represented as a place, that is not, or soon will not be safe, for persons seeking such improvements, as may qualify them for orders, to reside in. And these strange assertions we are to take on their bare word, without the least proof, tho' they are such as every one, who knows this place, knows to be false.

But is there no reason then to complain of an increase of luxury and expence here? I shall not deny, or *dissemble*, that in some degree there is. And these writers have given us a very good and just reason and account how it comes to pass. *Luxury*, they tell us, *hath for some time been making advances in this nation with long strides. The expences of great schools are greatly enlarged. The appetites of young men, through general luxury, are every where indulged, and by indulgence inflamed, before they are sent to the University.* These are indeed melancholy truths: and if these gentlemen can contrive any method to stop *the advances of general luxury*, or to lessen *the expences of great schools*; to make parents wiser and better, and prevent their *indulging and enflaming the appetites* of their children; they will do an acceptable service to both the Universities and to the publick. But on the other hand, till the cause can be removed, I am afraid, do what we can, we shall in some measure feel the effects of it. Let us execute our statutes ever so diligently, we shall find it difficult to keep those within bounds, who come here already corrupted. *Serve up commons* in what manner you please, those, who have lived luxuriously at *home*, or at *school*, will scarce be contented with them. Nay, if you new-model our statutes, the same difficulty will, I fear, attend the execution of whatever rules you can make. Any regulations, which the wisest man can contrive, or the most whimsical imagine, will scarce be found effectual to restrain the *appetites of young men* which have been long *indulged and inflamed*,

and still continue so to be at *home*. And what is still a harder case upon us, one such person here does infinite mischief. Governours here, both out of prudence and good-nature, are unwilling to remove him, as long as there is any hopes of his reformation : and all this while he is corrupting and seducing others. And these very persons, when they go from hence, are generally loudest in their clamours against us. If we expel them, 'tis an affront never to be forgiven. If we forbear them, that very forbearance furnishes them with a reason to complain of our remissness.

OXONIENSIS.

[*To be continued.*]

From the GENERAL EVENING POST, Feb. 15, 1750.

*Continuation of the OXFORD LETTER,
begun the 3d instant.*

OUR good friend (for so I shall take the liberty to call him, though he speaks in the plural number) having given us so just an account of the increase of expences here ; I was in hopes when I took his next paper in hand, to have met with some proposals, or considerations, proper to restrain the growing luxury of the age. From so good a pen, we might have hoped for something, which might have had some good effect. But,

to my great sorrow and surprize, I found, instead of the same point pursued, a quite new scene opened. A new cause is now assigned, of this supposed *relaxation of discipline* here, very different from the former. Our *rules and statutes*, it seems, intended by founders to be the best provision for good government, are, by alteration of times and circumstances, become a hurt to the societies by them founded; and particularly, the statutes directing the choice of a governor are said to have ruined the discipline by them intended to have been perpetually established. And therefore the assistance of the legislature is called in, to provide a remedy for this evil, and to alter, and even to annul, all such statutes as this gentleman shall not approve of. But I humbly presume, that all wise governments will be very cautious how they break in upon ancient establishments; will look upon the wills of founders and benefactors, as things sacred; and the interests and privileges of those who claim under them, as rights not to be wantonly invaded, upon every idle suggestion of imperfection or insufficiency. Another circumstance which may deserve to be considered, is, that the heads and fellows of colleges are bound, by oath, to observe and support the statutes of their founders, and not to admit of any alteration in them. And I doubt very much, whether the legislature itself, can absolve men from such oaths. But we are told, that *the authority of parliament did once effectually interpose to alter, and even to annul, all such statutes, as seemed to them to be a hurt to religion*. But, why seemed? were not *those statutes* really a hurt to religion, in themselves superstitious and unlawful? Did the parliament think it proper to alter or annul any other? Fine logick indeed! Because unlawful statutes may be, and have been repealed, therefore other statutes, no way unlawful or superstitious, *must* be repealed, only because they seem to this writer inexpedient. But,
if

if the founders of ancient colleges were now alive, the parliament would have their thanks, for making such alterations. But he here takes one thing for granted, which will not be so readily allowed him; that our founders, if alive, would think just as he does. I am rather afraid, that if such a reformation was set on foot, especially if under his direction, it might be such, as would neither meet with our founders approbation, nor deserve their thanks. And I think I have some reason so to say, when I consider the particular point he at present calls upon the legislature to assist him in, the alteration of the statutes concerning the election of our governours. Let us then attend his reasonings on this head.

It is, in the first place, suggested, that our founders endowments were intended for such scholars only, as should need this support in their education, and should be found upon examination to deserve it; but now fellowships are rarely given to scholars of low condition, whatever be their merit. This is a heavy and a general charge, but not generally true. It is, indeed, very difficult every where else, as well as here, to prevent persons of good fortune and little merit from sharing, sometimes, in the rewards and supports designed for the deserving and indigent. But

——— *Domus hæc nec purior ulla est,
Nec magis his aliena malis!*

I believe there are few places, where merit is more regarded, or the intentions of founders more religiously observed, than within these societies; and I could produce innumerable instances, some very illustrious ones, to justify my assertion. But——supposing his charge were true; what remedy will he provide for it? Our present statutes lay all possible obligations upon the electors: if they break through them, I am afraid they will
break

break through any other he can devise. But, of all remedies which might be thought on, what he has offered is the very worst. He would vest the appointment of our governours in other hands. And, pray, would not every one, who was concerned in appointing, or recommending our governours, think they had a right to recommend to them candidates for fellowships? And, would this be a likely means of promoting persons of low condition, or distinguish'd merit?——Another thing suggested, is, that colleges had formerly none or few *advowsons* in their patronage; that of course the *succession* was very slow, and a great majority of the fellows grave and serious men, regarding the reputation and interest of their society, &c. All this is easily said, and as easily answered. It is not true, that the *succession*, in ancient colleges, was, in their founders days, slower than now. It appears, by many of our statutes and registers, that it was much quicker. Some thirty or forty years ago there, were, indeed, several elderly men in some of our colleges: and then there were great complaints, that persons, by staying too long here, contracted a sourness and moroseness, or a stupid indolence, regardless of their own and the college's reputation, intractable to their governours, and little concerning themselves in the good of the society. I must own I look upon *succession* in a college to be as necessary as circulation to the vital frame: it contributes to the health and vigour of the body, and makes the founder's bounty more diffusive. And, one would think, that it was no way unreasonable, that some decent provision should be made for such as have spent their younger days in attendance on their duty here, and perhaps, by this very attendance, lost the opportunity of making their fortune elsewhere. This, some colleges have been enabled to do by the purchase of *advowsons*. But even now, there are scarce any colleges, where

where a man can expect college preferment till he is forty; (many years above the age required for a bishop, and enough, one would think, to be intrusted with a voice in the election of his head) and, in *most*, not till he is a great deal older. And colleges have already been prevented from carrying this matter to excess, by a late act of parliament, with which, one might have hoped, this gentleman would have been contented. On such suggestions as these, false and idle as they are, he would deprive the fellows of colleges of the right, vested in them by their founders, of choosing their own governors; *the true cause*, it seems in his opinion, *of the want of discipline in this place*. But, very hard may they justly think it, that their *Well-Wishers* should attempt to rob them of a right, which their worst enemies have left them in the possession of. In the visitation 1648, the very worst of times, our members were turned out; but neither were our statutes annulled, nor the colleges deprived of *the power of choosing their own governors*, or any of the privileges entrusted with them by their founders. In King James's time such a thing was, in some colleges, attempted; but we know this was one great cause of complaint against him, and one of the chief things which hastened the ruin of that unhappy prince. And it ought to be remembered, that, in the case of *Magdalen College*, one plea insisted on by the college, was, that they could not, consistently with their oaths, admit a president, appointed in a different manner, than what their founder had prescribed. And what reason can now be offered for so violent a measure? Have the fellows of colleges notoriously abused the trust reposed in them? No such thing. These societies have, for some ages, flourished, under the methods prescribed by their founders: every college can point out, from the earliest times to the present, men of learning,

ing, integrity, and piety, who have presided over them : and late, very late instances may be produced, of elections made, without any influence of interest or affection.

[*To be continued.*]

From the GENERAL EVENING POST, Feb. 24, 1750.

*The OXFORD LETTER continued from
Thursday se'nnight.*

I Would further observe, that some societies, in both the Universities, have governours appointed over them by others : I would ask then, whether these societies are better governed than many others are ; and whether there are not in these, as well as in other colleges, complaints of irregularity and extravagance ? There is, in particular, one college here, where not only the governour was not chose by his fellows, but has had the making of his own statutes : can it then be said, that even this distinguished society flourishes more than any other ; or, is freer from all reproaches of this kind, than any of its neighbours ? If not, then it is plain, that our *friend* hath quite mistaken the cause of the malady, and that he is no proper person to apply to for a remedy. I could wish, too, that our *friend* had told us where he would place his power of appointing our governours : I believe he would find it very difficult to name any method, which would not be liable at least to equal objections, and subject to equal abuses with the present. Would he place

his power in the crown? Far be it from me to cast any invidious reflections on those, who are, or may be, recommended to royal favour; but I shall take the liberty to say, as an Englishman, that this would throw so much power into the crown, and create such a dependence here as no lover of his country would wish to see. And, as an academick, I may question, whether governors, depending on great men for their places here, and seeking after higher (for most of our headships are but poor preferments) would be more likely to attend the duties of their station, *regard the reputation and interest of their societies, and revere the opinion of the University,* than men, who have been long resident here, versed in college business, and acquainted with the statutes, rules and customs of the University, and their respective societies? Or, would such persons be more likely to remedy the abuses he complains of? to revive *discipline*; to recommend *plain diet, sobriety, and frugality*, by their authority or example? The like objections will, I apprehend, in some measure, affect any new scheme which may be proposed. But 'tis a fault incident to little minds, and warm imaginations, when they see imperfections in old establishments, (and no human establishment is without) or negligence, or abuses, in those entrusted with power, (and such offences will come, as long as men are men) they are immediately for tearing up foundations, and think to remedy all defects by some new regulations of their own devising, but never reflect, or consider, what difficulties or dangers may attend the attempt, or what inconveniencies their own favourite scheme may be liable to.

But perhaps it may be asked, are you afraid then of all enquiries? Are you averse to all reformation, and angry with any friend who proposes it? By no means. But I must be excused, if I cannot think this writer has, either
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in the time, the manner, or the matter of this his application to the publick, shewn either *his affection or duty to the University*. Nor do we feel such *distress* as he would represent us under, or think there are any irregularities here, but what may be *reformed* without new modelling our statutes. There are statuteable and legal methods of remedying such abuses as may creep in here. The heads and officers of colleges are obliged, by their oaths, to prevent and reform them. If they are opposed by the other fellows, they may call in the visitor's assistance: if these won't do their duty, any fellow may complain to him; if none will complain, the visitor by his own authority may visit, enquire into, and reform all abuses. And with regard to the increase of expences here, as some regulations have already been made, so I am credibly informed, that the governours in both the Universities have it under consideration, how they may put a stop, if possible, to this evil, by some new and more effectual injunctions. But till such methods have been tried, and found insufficient, 'tis most amazing that any one, who calls himself a *Well-Wisher to this University*, should fancy it his *duty*, or think himself at liberty, without any previous application to the proper persons concerned, to make a solemn appeal to the publick, and call in the *assistance of the legislature*.

OXONIENSIS.

[To be continued, if occasion should be given.]

From the GENERAL EVENING POST, March 31, 1750.

W E L L - W I S H E R S
TO THE
UNIVERSITY of O X F O R D.

N U M B E R III.

IF it be defireable that young men resorting to the University for *education* should live there *quietly, studiously, virtuously, and religiously*; at an expence that will not be *grievous* to their parents; and under tutors of such *skill, and diligence, and fidelity*, as that no parent shall be tempted to send his son abroad for better improvements than may be had at home, to the great *discredit* of the *Universities* of this kingdom, and profuse *consumption* of our money in *foreign* countries which should circulate in our *own*, we are humbly of opinion, these ends cannot possibly be obtained without a *variation* from the present *constitutions* of colleges in some respects.

By the *constitutions* of colleges in *Oxford*, excepting those of *Christ-Church* and *Hertford*, the fellows have, as hath already been observed, the choice of their own governours. The mischiefs that often *have* attended, and are often *likely* to attend *such* a choice, are these.

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On the *prospect* of a vacancy in the *lodgings*, though a *distant* one, there will, naturally, be going forward intrigues, and *artful* managements unworthy of *liberal* men, and of *ecclesiasticks* in particular; *undue* applications, foreign, as well as domestick, will be made to the electors, who, being under the obligation of *oaths* to respect in their choice the greater *fitness* for discipline, cannot *innocently* be applied to at all; and who will often find themselves *distressed* by the different *admonitions* of gratitude and conscience, of friendship and duty. A society instituted for the promotion of *piety* and *virtue*, will be divided into *parties*, which, inflamed in proportion to the zeal of *interested* particulars, will *appear*, for the present at least, if not *more* than appear, to have suspended all *regard* either to piety, or virtue. Misrepresentation, and obloquy, gratuities and entertainments, and late hours, and perfunctory exercises, and silent statutes, till an election shall be made, are the privilege of those, who *can* be useful, and *will* not be so, if they are put out of humour. So that, preparatorily to the choice of a governour, the society may be debauched to a degree, not to be brought again into good order, for many years, by the *best* governour *so* chosen, if *any* governour *so* chosen should in good earnest attempt it. And, after the election shall be *over*, the heats and animosities that attended it will *continue*; the *peace* of the society, so necessary to study and improvement, be *disturbed*; and, how great soever shall have been the *disagreement* between them, they shall yet be obliged to *live together*.

At length a governour is chosen by a *majority*. Apparent *unanimities* are founded in *private* majorities. We can easily conceive a majority in every society may desire *relaxations* of discipline; and may have been inclined, if not determined, to chuse a governour, who, they might hope, would *indulge* them in *what* they desire. Nay we
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can easily conceive it not impossible, but that a candidate, *ambitious* of the headship, may have been tempted to *behave*, and to *express* himself in such a manner beforehand, as to have raised in his electors a reasonably well-grounded expectation of so much *courtesy*, and that he will have the *honour* not to put in practice notions different from those he formerly *appeared*, if not *professed*, to entertain ; and the *gratitude* likewise to remember the *obligations* he is under to his constituents ; who also may have been wise enough to choose a person to preside over them of so great *gentleness* of temper, as that he would *naturally* find in himself a *reluctance* to proceed to any *unusual*, however wholesome, parts of discipline, if he had *no* obligation to them ; and, of so much good sense, as would enable him to foresee, that if, hereafter, he should make them *uneasy*, contrary to their expectations, they would have it in their power (such is the constitution of colleges) to make him *more* so.

Again, we can easily conceive, that a governor so qualify'd, and so chosen, will hardly carry his *resentment* so far against the *minority* that *opposed* him, as to keep *them* to the observance of those rules of their founder, from which the *majority* that *chose* him are set free ; and that, to avoid the imputation of partiality, *inactivity* must ensue. But suppose him *equal* in the distribution of *penalties*, if he inflict *any*, he may yet be under great temptation to *inequality* in the distribution of *favours* in his power to bestow, and which he will find it difficult to withhold from a solicitor he is *indebted* to, however unworthy. He must sometimes, if desired, submit to *recommend* to great persons tutors very *insufficient*, and to *connive* at the misbehaviour of pupils very *dissolute*, lest the tutors should be the sooner deprived of the valuable *considerations* they receive for their supposed care of them. He must sometimes submit to *assist* in convocal censure

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or favours, neither reasonable in themselves, nor warranted by any statute, and, against his own opinion.

And, as the *fellows* have the choice of their *head*, they may hope he will be *contented* to let them have the choice of the *fellows* likewise, as fellowships become void ; or, they may *assume* it whether he be so contented or no ; and, previously to any examination of *fitness*, may agree amongst themselves, whom of their *friends* they shall, in their turns, make *fellows* ; who, owing their *obligations* to their electors, may, afterwards, be of a *party* with them against their governour, if, at any time, he should be found so refractory, as to attempt any reformation that will be disagreeable to them.

But, suppose a governour chosen in this popular manner, and, formerly, in a disposition to comply with his electors' expectations of liberty with impunity, should, at length, be so *good*, as to consider, what his station requires of him, and the obligations he is under, in *honour* and *conscience*, to perform the *duties* of it as far as he is able ; and, having been surprized with instances of *outrageous* misbehaviour in some or other of the scholars under his care, should begin to reflect, that nothing so *enormous*, surely, would have happened, if *lesser irregularities*, in his power to have punished, had seasonably been taken notice of ; and that, in the general estimate of the world, the *blame* of what is amiss in the society, will not be *shared* by the fellows of it, but fall *wholly* upon himself, should have the *prudence* and the *resolution* to maintain a regular discipline in his college for the future ; yet, he would find himself, by the *constitution* of his college, to have not sufficient *power* to do what he so *honestly*, and so *heroically* intends. For, to many material acts of discipline, he must have the *concurrence* of certain others of the body, whether seniors, or officers, who may *not* concur with him. They may be *obnoxious* themselves,

selves, or those they *favour* may be so, if themselves are innocent.

It is natural to suppose, that founders of colleges, having besought their appointed visitors, *by the bowels of Jesus Christ*, to be *watchful* over the *societies* by them respectively founded, and to see that their *statutes* should be observed, had given *them* sufficient *power* to do what they so earnestly desired. But, we are assured, they have not. For, a visitor, by the constitutions of colleges, generally, cannot visit, unless he be called upon to do it by a certain number, or by a majority of a certain number, of the *fellows*. But a certain number, or a majority of *these*, having lived in great disregard to their founders' statutes, and designing so to live, would astonish all mankind, if they should call in a visitor to inspect their own misbehaviour. Some visitors, indeed, may visit their respective colleges once in five years, of their own accord. But their predecessors having for a long time *discontinued* to do this, if they ever did it, they will, naturally, be *disinclined* to do it.

What, then, is to be done, in order to secure that *good* to the *community*, which founders of colleges intended they should reap from their *beneficence*? The community are greatly interested to get this good secured to them, and have even a right to use all proper and just means to get it well secured. A fellow of a college hath not a better right to his founder's *indowment*, than the publick hath to his *good behaviour*, manifested in his conformity to his founder's statutes. And his disregarding *these* is not only *ingratitude* to his *benefactor*, no otherwise punishable than by the very ill opinion all serious men will have of him, but a *fraud* to the *publick*, and demands a dispassionate, considerate, and effectual *legal coercion*. If *fellows* of colleges conform to *these* rules, it will hardly enter the heads of *independent* members to transgress

transgress them; nor will *dependent* members, habitually conforming, suffer transgressions in the *independent*. But if *they* depart from their founder's rules, who are under great obligations to him, they will embolden younger scholars to do so too, who are under no such obligations. And what reprehension or punishment have *these* to fear, who find that persons, superiour to them in *standing* and *degree*, are *irregular*, and yet go unpunished and uncensured by their governour? and a governour, being aware how readily *partiality* will be imputed to him if he make a difference, will not have the courage to *note* the irregularity in one which he *overlooks* in another; and, in another, the more *criminal*, on the very account of his *superiour* standing and degree. For, of the *longer* standing he is, and the more he hath *deserved* a degree, the more *knowledge* he will be presumed to have of what is *duty*, and of the greater *influence* to error is likely to be his *example* if he disregard it. Away with all *privilege* in any fellow of a society, whether *senior* or *officer*, to be *negligent* of his *duty* to God, or regardless of his founder's institutions.

It is, now, submitted to the consideration of *superiours*, whether the *private good* of collegiate bodies, and the *good* which the *publick* expect from them, by the education of the youth of the kingdom in *religion*, and *virtue*, and *learning*, at a moderate *expence*, may not best be secured, by *releasing* these societies from the choice of their respective governours made by themselves, and by *placing* the same in other hands *limited* always to the choice of one out of their own bodies respectively.

The person so chosen being *one* of the body, there will be the same preferment for a *worthy* member of it which the founder *intended*. He will be *one*, who of course will understand all the *business* of the college, and

will naturally have an *affection* for it. *One*, who having no *obligation* to *any* under his government, will, if he be either wise or good, be *indifferent* to *all*. *One*, who can, now, have *no* reluctance to *see* that his founder's *statutes* are observed; nay, who must, now, have *some* reluctance to *forbear* to see that they are observed; for, if they are not, men will know for certain *where* to lay the blame. He hath, now, "a face to be ashamed that may be *discerned*." And it cannot, sure, be more than a reasonable *aid* to him in the execution of his office, that he be allowed to have a *necessary* voice in the *election* of all future *scholars* and *fellows* of the college; and in the *appointment* of the *officers* in it; and in the *disposal* of the *livings* and *preferments* belonging to it; and the sole *nomination* of the *tutors* to be intrusted with the care of the youth resorting to his college for improvements in learning and virtue. The *abuse* of these, or of any of these powers in the governour, to be *cognisable* by the *visitor*, and by him to be *reformed*. The visitor to be *obliged* to visit, by himself or his commissary, once in *five* years, and *at liberty* to visit *oftener*, if he shall think fit.

[To be continued, with observations on certain passages in Letters written to the Well-Wishers.]

From the GENERAL EVENING POST, April 12, 1750.

W E L L - W I S H E R S
TO THE
UNIVERSITY of O X F O R D.

N U M B E R IV.

U N D E R this Number we shall consider, as we proposed, certain *passages* in one or other of our correspondent's letters, written, we presume, rather to *ingratiate* himself with the fellows of colleges, than to *prove* the power they have to choose their own governours, an *useful* institution.

I. He asks, “ *Have the fellows of colleges NOTORIOUSLY abused the trust reposed in them?*” and thus answers his own question, “ *No such thing.*”

To this we reply, *some* such thing *notoriously* in the year 171—, in the year 171—, in the year 171—, in the year 171—; in the year 172—, in the year 172—, in the year 172—, in the year 172—, in the year 172—, in the year 172—; in the year 173—, in the year, &c. It is really a *grief* to us to find ourselves under a *necessity* of saying *any* thing on this head; our *inclination* not being to reflect upon any particular

particular *person* or *college*, but to reform the *University*. However, we choose to say as *little*, and that little in as *obscure* a manner, as we can : and, we hope, our correspondent will not oblige us to be more *plain*, nor to say all that we know that is *naughty* of this matter ; and, at this time too, when, we flatter ourselves, every body is going to be very good.

2. “ *These societies have, for some ages, FLOURISHED, under the methods [of choosing their own governours] prescribed by their founders.*”

We observe, that the word *flourished*, is an *ambiguous* term, and may signify, either in *virtue*, or in *number* ; and think it will be time enough to say something to this *passage*, when our correspondent shall be more *explicite*.

3. “ *Every college can point out, from the earliest times to the present, men of learning, integrity, and piety, who presided over them.*”

We answer, that every college, if they are so pleased, can point out men chosen by themselves to preside over them, of a very *different* character ; that *learning, integrity, and piety*, are not *all* the qualifications requisite in a governour of a college, though, perhaps, all that he will ever have room in that situation to *display* ; that nothing of what our correspondent asserts, can be known from the *earliest times*, but by history, or tradition, and may possibly, not be *true* ; and that, if never so true, the *times* are changed ; and *later times* may want that provision for good discipline, which *earlier* did not need.

4. “ *And late, very late instances may be produced of elections*”

“ elections made [by fellows of colleges] without any influence of interest or affection.”

We believe as much, but are at a loss to know, what this is brought to *prove*, since *other* considerations, not very laudable, may influence electors as well as *interest* or *affection*. But we will suppose the utmost he can desire to be understood to mean, viz. that *late*, *very late* instances may be produced of elections made by fellows of colleges, not only without any *influence* of interest or affection, but with real *belief* also, that the men they chose had all the *proper* qualifications for the government of a college: yet what he would *infer* from hence, that, since fellows of colleges have chosen so well in *these* instances, surely, fellows of colleges are fit to be trusted with the choice of their own governours for *ever*, will not readily be admitted. We beg leave to consider this argument. 1. In a *late* instance. 2. In a *very late* one.

1. We readily allow, that the fellows of a college, in a *late* instance, did themselves great honour in choosing for their head, a good scholar, an ingenious man, of fine temper, fine behaviour, and, what comes home to the present purpose, a person excellently *qualified*, and extremely well *disposed* to maintain a regular discipline in the college, to the government of which he was chosen; and especially, as they did this without influence of *interest*, as that term means, without any fellow's receiving a *consideration* for his vote; and without influence of *affection*, as that term imports, without preference of a *less worthy* to a *more worthy* competitor thro' friendship. But then we say thus:

If, that the fellows of this college did lately choose for their head, a person excellently *qualified*, and extremely well *disposed* to maintain a *regular* discipline in the said college,

college, without any influence of *interest* or *affection*, be allowed to be a good argument, why the fellows of colleges *should* be trusted with the exercise of this power for ever; then, that the fellows of the *same* college did, in the election *preceding*, choose for their head, a person the most *unqualified*, and the most *undisposed* to maintain a *regular* discipline in the said college, that was ever elected by *any* fellows of *any* college; and thro' so great influence of *interest*, as ended in the death of his *more worthy* competitor, and in the indelible infamy of an elector *bribed* to forego his solemnly repeated *promises*, and long professed *friendship*, must be allowed to be *as good* an argument, why the fellows of colleges *should not* be trusted with the exercise of this power for ever.

2. We will consider this argument, in a *very late* instance. We allow the person *very lately* chosen by the fellows of *this* college for their *head*, to be a person of *learning*, *integrity*, and *piety*, and to have been chosen without influence of *interest* or *affection*, which is all that our correspondent seems to require in a *governour*: but we will be more *liberal* to this gentleman, and allow him also, to be well *qualified* in *other* respects for the government of the college, and well *disposed* to maintain a *regular* discipline in it; meaning, by this term, a discipline according to the founder's *rules*; for no other is *regular*. And we allow further, that our correspondent's argument, for continuing to *fellows* of colleges the choice of their *own* governours, is much stronger in *this* instance, than in the *other*, since we do not remember any one person chosen to be the governour of *this* college, who was not *worthy* to be so. And, moreover we think it not unlikely, that the *electors* in this college, (*senior* fellows, and *few* in number) will *continue* to do themselves the *credit* of choosing a worthy man to preside over them.

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What *occasion* is there, then, may the reader say, to put the nomination of the head of *this* college into *other* hands? Why, *none* at all, unless there be a variation also in the constitution of the college in this *further* respect, that the head, *they* shall nominate, have *power*, of *himself*, to maintain the discipline intended by the founder. For, unless he have this power, and the free exercise of it, it is not very material, who *chooses*, or who is *chosen* the head of *this*, or any *other* college constituted like this. The *effect* will be the same, whether he be excellently *qualified* for the government of the college, or *not* at all. For, he will be found to be a *head* only, and not a *governour*. A *head*, without whom, his *electors* can neither set a *fine*, nor let a *lease*; but not a *governour* to maintain the *discipline* intended by the founder. For, if the *consent* of one or other of these electors be *necessary* to every *act* of discipline he would execute, that may affect the lowest scholar; and, particularly, if they *have*, or at least *exercise* separate powers from him; and *can* do, or at least *do* what *they* approve without *his* consent, tho', at the same time, what *he* approves will have no effect without *theirs*, *they* are the *governours* of the college and not *he*. And, what then should hinder them from doing themselves the *credit* of choosing a *valuable* man to preside over them, when they will still be as safe from the exercise of any power in him which they may not like, as if they had chosen a person to this office, the most *indolent* and *insignificant*? What is desired, therefore, in a head, is, that he should be a *governour*; that, being chosen to preside over a society of scholars for the advancement of religion and learning, either in *this* college, or any *other*, he should have sufficient *power* to maintain a *regular* discipline for these ends, without asking the *consent* of those, who, as it may happen, may *themselves* be most *irregular*, and the cause of infinite irregularities

irregularities in others. Whereas, if the great cry against the University be *want* of discipline ; and the general wish be the *restoration* and *maintenance* of discipline ; and the *valuable* man they have chosen for their governour ; cannot *restore* it, and *maintain* it without their *leave* ; and they not willing to forego one *appetite* to save the University from ruin, will not *give* leave ; this valuable man hath only the *name* of governour transferred to him from his electors, in the same manner, as is the husband's to the wife, without any *power* in her to *regulate* his conduct if he should happen to have any ill *habits*. For this reason one of the persons so chosen, a serious, conscientious, tender man, having accepted the headship of this college over night, and finding the difficulties of doing any thing *satisfactorily* to his own mind, appear *greater* as they approached *nearer*, resigned it the next morning. And the late head, a very *wise*, and a very *good* man, if ever there was any ; and as well qualified, and disposed to maintain a regular discipline in the college, as any man that ever was chosen head of this or any other college ; and with respect to his own conduct, whether as a private *governour*, or a publick *magistrate*, never *absent* from any place of duty, of any kind, whilst he was able to *crawl* to it, hath been frequently heard to lament the little *power* he had to regulate certain disorders in his college which it was *misery* to him to see. And, we are of opinion, that, if this *new bride*, who (in terms a little upon the *scold*, which is natural) is so forward to take her husband's part (a good sort of man in the main, as the world goes, tho', perhaps, not altogether so *innocent* as she would have it believed) should have tried to make him *better*, in a way that he had not been *used* to, and would have *surprized* him, however reasonable, she would have been taken down in her wedding shoes. And tho' it may be true, that there have been some *regulations* in
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the family, since this person came into it, with respect to œconomy; and that certain expences, grievous, and disreputable, and, which is all in all, no *longer* acceptable to the electors themselves, have been reduced; yet if *this*, or any *other* governour should try to *shut* his college gates at the founder's *hour*, (a rule to be observed by the statutes of the *University*, as well as those of his *college*) or to *oblige* the fellows of the society, *masters* of arts, and in holy *orders*, to the same diligent attendance at the chapel prayers, as *before* they had taken this degree; or to *revive* the divinity disputations which they have determined to discontinue; or, to *require* they should stand to commons *twice* a day in their publick refectory, and vary the hour of *supper*, as they have done that of *dinner*, we are persuaded, he would find such difficulties in the attempt, as he would never be able to surmount without *assistance*.

Our correspondent, then, may know, that our *exception* is not to the *men* so lately chosen by the fellows of their severall colleges, (for, if the heads of *other* colleges had had the *nomination* to the vacant headships, the *men*, very likely, would have been the *same*); nor have we any exceptions to the *men* chosen governours of other colleges in like manner, who for their parts, and learning, and sobriety, are as valuable a set of men, as any we ever remember in their stations: but our exception is to their *dependence* upon their electors, to their want of *power* to execute their founders' *statutes*. 'Till they shall be furnished with *this*, men of *half* their *value* in their places, are abundantly sufficient for the *business* of seeing and fermenting irregularities in their own societies which they cannot remedy. And it would always be a *less* pitiable thing to have insignificant men used insignificantly, than worthy men unworthily. And now, we think it not more reasonable for our *correspondent* to ask, whether those,

who can *choose* so well, are not fit to be trusted with the power to continue to do it, than it is for *us*, in our turn, to ask, Whether, when *they* have chosen so excellent men for their *governours*, the same are not fit to be trusted with the *execution* of their founders' *statutes*?

From the GENERAL EVENING POST, April 26, 1750.

To the WELL-WISHERS to the UNIVERSITY of OXFORD.

WE are readily disposed, gentlemen, to believe, that you are really what you stile yourselves, and do *bona fide* desire those good ends, which you propose to obtain by the alteration of our founders statutes. But there seems to lie one great objection in your way, which may require a serious and clear solution from you. How will even the legislature itself be able to absolve men *in foro conscientiae* from the obligation of an oath, with regard to such parts of it, as were in all respects *honestae & licitae* at the time when they took it; especially if there be a clause in it, that they shall not *accept* of a dispensation from any power whatsoever?

B. D. F. W. &c.

From

From the WHITEHALL EVENING POST, May 8, 1750.

To the A U T H O R, &c.

S I R,

*The WELL-WISHER to the University of OXFORD
having published No. III. and IV. you are desired to give
a place in your paper to the following letter.*

I Find our *Well-Wisher* still goes on with his goodly scheme of reformation: two more papers we have been favoured with, but such as contain little which may require, or deserve, any farther notice.

In No. III. we have a long detail of abuses and inconveniences which *may* arise, and, I suppose he would suggest, have arisen, from the present method in most colleges of chusing their governours. To this it has been already answered, that inconveniences will attend all human establishments; and that, as long as men are men, abuses will creep in, under any regulations which the wisest man can contrive, or the most whimsical imagine. If, indeed, all power is to be taken away, which either has been, or may be, abused, there will be no power left subsisting. I farther urged, that in the present method of election, the statutes lay all possible obligations upon the electors, to choose for their governour a person every way qualified, and that if they break through these, it is to be feared, that they, or any other persons, entrusted with the same power, will break through any others that can be

devised. It may be added, that the fellows of colleges are better acquainted with the characters and abilities of those who have been bred, and lived amongst them, than any other person can be supposed to be; that they are not only under the strictest obligation of oaths to choose a worthy person, but that their own, and their society's credit and interest is concerned in the choice. I also called upon our *Well-Wisher* to tell us, in what hands he would place this power; which, when he thinks fit to do, I will promise to furnish him with as long, and as black, a list of *may-be's*, as what he has given us. But this he has very wisely declined.

In No. IV. he has favoured us with *observations on certain passages in his correspondent's letters*. A very proper title this! he has singled out three or four passages, which he has honoured with his *observations*, and left the rest wholly unanswered, and untouched. I expressed my surprise, that he should chuse this time particularly to make an appeal to the publick, when there had been so lately a general outcry against us; and that he should do this in such reproachful and injurious terms, as little became the title he assumes of our *Well-Wisher*. But he has not been pleased to vindicate this strange method of procedure, or to retract such hasty and groundless censures.

With regard to his scheme of placing the election of our governours in other hands, I observed, that the suggestions, on which he would found the necessity of this alteration, were false: that neither was there so little regard paid to merit in our elections, as he would pretend; nor was the succession quicker now than in our founder's days, but, on the contrary, slower. To this we have not one word of answer.

I observed, that the wills of founders and benefactors had always been looked upon as things sacred; and that those, who claim under them, had as good title to the rights

rights and privileges vested in them by their founder, as any man has to any legal possession; and that the heads and fellows of colleges were bound by oath to observe and support the statutes of their founders, and not to admit of any alteration in them. To all this again, he says never a word.

I asked, Whether such colleges in these Universities, as had not the choice of their own governours, were better governed than many others are; and, Whether there were fewer complaints of irregularity and extravagance here, than elsewhere? But this he will not, or rather cannot say. What I have said therefore, in most of the material points, stands in full force against him; only one point he has thought fit to contest, and that one we shall soon see him giving up.

I have indeed a most formidable adversary to deal with. He has not only, as he imagines, discovered who his *correspondent* is, but he can see into his heart, and penetrate his *intentions*; which, it seems, are *rather to ingratiate himself with the fellows of colleges, than to prove the power they have to choose their own governours an useful institution*. But to let this pass, and come to his *observations*. I denied that the fellows of colleges had notoriously abused the trust reposed in them. To this he replies, *some such thing notoriously in the year 171—, in the year 171—, &c. and he hopes I will not oblige him to be more plain*.—By no means: I would not lay him under a *necessity of saying any thing on this head*, which when he has said, it will be nothing to the purpose. Let us view the thing in a like case. Suppose a *Well-Wisher* to our constitution should take it into his head, that the Crown ought to be deprived of the power of nominating the judges and the bishops; might he not argue just in the same manner? Might not he point out unworthy persons, who have been preferred to these high posts, and *naughty things that he knew*, or fancied he knew, of this matter, in
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the year 171—, 172—, 173—, &c? And might not he furnish out a whole page of possible abuses of this power? And when he has done, what would this be to the purpose?

I cannot think, therefore, I have any occasion to vindicate every election which has been made here for these 40 or 50 years: sufficient to my purpose is it, if the electors have generally chose persons properly qualified for this office; and that they have done so, we shall soon see our *Well-Wisher* himself owning.

Again: whereas I had asserted, that these societies had for some ages flourished under these methods, &c. he observes, that *the word flourished is an ambiguous term, and may signify either in virtue or in number.* I am really a stranger to such chicaneries: I never yet looked upon any college as *flourishing*, unless good learning, and good manners, and whatever else is commendable and praise-worthy, did therein abound. Much the like little exceptions he makes in the two next articles. I give him then full leave to amend my propositions: to *learning, integrity, and piety*, he may add every other qualification, which he himself may think requisite in a governour; and when I speak of elections being made *without any influence of interest or affection*, I would be understood to exclude every other corrupt motive he can imagine; and I leave him to combat these my assertions in these full and *explicit* terms, I can assure him I never meant, or thought of, any such evasions; and only beg leave to put him in mind of an excellent saying of one, whose opinion and judgment, I have reason to believe, will be of great weight with our *Well-Wisher*, I mean the present very worthy Principal of Hertford-College:—That, *next to the meanness of being guilty of such little chicaneries, is the meanness of imputing them.*

OXONIENSIS.

[To be continued.]

From

From the WHITEHALL EVENING POST, May 19, 1750.

*A continuation of the LETTER sign'd OXONIENSIS
in our paper of the 8th instant.*

WE come now to our *Well-Wisher's* fourth article of observations. I have said, that late, very late, instances might be produced of elections made by fellows of colleges, without any influence of interest or affection. In reply he entertains us with a long chit-chat of elections, &c. in two colleges in particular. All this I shall make bold to pass over, and leave those to animadvert upon, whom it may concern: all I shall say to it is, that in his second instance most of the facts he advances are false. I never indeed intended to point out one or two colleges in particular: I had several late elections in my eye: what I would assert is, that fellows of colleges in general, in most of our elections for some years past, have made choice of persons every way unexceptionable: and in this I have the pleasure to have our *Well-Wisher's* full concurrence. He is so good as to acknowledge, that *the present governours of colleges here are, for their parts, and learning, and sobriety, as valuable a set of men as any he ever remembers in their stations; nor has he any exception to the men so lately chosen by the fellows of their several colleges: nay, if the heads of other colleges had had the nomination to the vacant headships, the men very likely would have been the same.* He farther tells us, that under the present constitution, *Men*
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of half their value, in their places, would have been abundantly sufficient; nor is it very material who chooses, or who is chosen, the head of a college.

These are all the concessions I could ask; all indeed, and a great deal more than ever I intended to affirm on this head. It appears now, by his own confession, that *the fellows of colleges have not, of late years at least, notoriously abused the trust reposed in them; and that the statutes directing the choice of a governour, have not ruined the discipline of these places:* for the very same persons have been chose, as would probably have been chose, in what, if I guess right, is his own method. Nor has he the least room for all this clamour, the least pretence for applying to the legislature, to deprive the fellows of colleges of a power they have no way abused, of a trust they have discharged faithfully and conscientiously. But *his exception is not to the men, but to their want of power.* That is to say, he gives up his first point, and starts another; and they, who will, may follow him. But if, in the present circumstances, *it is not very material who chooses,* then, I humbly apprehend, all he has said on this head *is not very material;* and if governours, chosen according to the present method, are *unexceptionable, well-qualified, and well-disposed,* and wanting nothing more but *power* to enable them to *maintain a regular discipline,* what occasion can there be to alter this method?

But what are these *powers* he would vest in our governours here? A *necessary* (i. e. I suppose, a negative) *voice in the election of all scholars, fellows, and officers, and in the disposal of all livings and preferments.*——I am no way inclined to enter into any long debate with our *Well-Wisher* on this new subject; but cannot forbear expressing my surprize, that, in these days of liberty, he should think our heads of colleges fit to be trusted with a power so extensive, and so liable to be abused. But the warmth
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of his imagination would suffer him to view his subject only on one side : whilst his head was full of the good use which might be made of power, to restore, or maintain discipline, he never gave himself time to reflect, what ill uses might be made of it, if it should happen to fall into weak or wicked hands.

I must farther desire him to consider, that our founders had a right to prescribe rules to the societies they founded ; that they did not compile their statutes but upon the most mature deliberation, after consulting with the wisest men of their times, and examining such statutes ; so that the excellency and usefulness of our statutes stands confirmed by the wisdom and experience of a long succession of ages. And yet this man has the vanity to think himself wiser than all his fore-fathers ; he would annul these statutes in the most essential points, and change the very form of our constitutions ; and this, it seems, is in order to *maintain regular discipline* : and yet he himself tells us, that *no other discipline is regular, but what is according to the founder's rules.*

But *later times may want that provision for good discipline, which earlier did not need.*—He has been told already, that there are legal and statuteable methods of making such *provision*, without altering our constitution. The heads and officers of colleges have a power of making such regulations, as shall, from time to time, become necessary ; and the visitors have still a superiour power.

But he is assured, that *visitors of colleges have not sufficient power to see that the statutes be observed.* I am afraid his assurance runs before his proof : I will not venture to speak quite so confidently, as not knowing the statutes and constitution of every college ; but thus far I can say with assurance, that in some colleges, the visitors may visit once in five years, in some every year, in some when they please ; and that, besides this, the governours and

officers of colleges may apply to their visitors, when they find their assistance necessary, either to enforce the statutes, or make new regulations; and they can, without visiting, give them proper injunctions, on such application; and in some colleges, they may, and have done this, without any application.

It is hoped, therefore, that *discipline may be maintained* without this gentleman's new *aids*; at least he can have no reason to complain, that he himself wants sufficient power to do his duty in his station. One would think, then, he might have been contented to stay, till the persons properly concerned, complain of want of power. These *worthy and valuable men* could not but be sensible of their own *lamentable condition*; and would, doubtless, if they found it necessary, apply to their superiours, to enable them *to maintain discipline, and regulate those disorders which it was misery to them to see*. But I hear of no complaints of this kind; but am, on the contrary, well assured, that most of our governours here are well contented with the power their founders have thought fit to vest in them. I must, therefore, beseech this gentleman to copy after the example of that *good governour* he bestows such just encomiums on; like him, to *study to be quiet, and do his own business*; like him, *never to absent himself from any place of his duty*, not continually deserting his post, and flying to London, to retail his notions of discipline and reformation in the publick news-papers, in a manner inconsistent with his duty, and unbecoming his character and station. Let him, like him, seek for a remedy of abuses in an academical and statutable method, attending on his duty in the University, and giving his assistance, when called upon, as he is, by statute and oath, obliged to do. Let him, like him, content himself with doing his duty in his own station, and not take upon him to prescribe to others, and make statutes for the whole

whole University. Let him learn, from him, what he was deservedly esteemed for, both modesty and humanity, and forbear to cast injurious reflections upon whole bodies of men, and rake into the ashes of the dead. At least, if we can't obtain this, let him keep within the bounds of truth, and inform himself better of facts, and of the statutes and constitutions of colleges, before he pronounces so hastily and confidently upon them.

Here, then, I shall take my final leave of him. He has led me from one point to another. The increase of luxury and expence here, was in his first paper, owing to the indulgence of parents; in his next, to our method of choosing our governours; in his last papers, to the want of power in those governours; what it will be owing to next, I know not. This only I know, that I shall follow him no farther,

OXONIENSIS.

F I N I S,

